

(h) TECHNICAL AMENDMENT.—Section 414(a) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (10 U.S.C. 12001 note) is amended by striking out "During fiscal years 1992 and 1993, the Secretary of the Army shall institute" and inserting in lieu thereof "The Secretary of the Army shall carry out".

SEC. 546. SENSE OF CONGRESS AND REPORT REGARDING REEMPLOYMENT RIGHTS FOR MOBILIZED RESERVISTS EMPLOYED IN FOREIGN COUNTRIES.

(a) SENSE OF CONGRESS.—Congress is concerned about the lack of reemployment rights afforded Reserve component members who reside in foreign countries and either work for United States companies that maintain offices or operations in foreign countries or work for foreign employers. Being outside the jurisdiction of the United States, these employers are not subject to the provisions of chapter 43 of title 38, United States Code, known as the Uniformed Services Employment and Reemployment Rights Act (USERRA). The purpose of that Act is to provide statutory employment protections that include reinstatement, seniority, status, and rate of pay coverage for Reservists who are ordered to active duty for a specified period of time, including involuntary active duty in support of an operational contingency. While most Reserve members are afforded the protections of that Act (which covers reemployment rights in their civilian jobs upon completion of military service), approximately 2,000 members of the Selected Reserve reside outside the United States and its territories and, not being guaranteed the job protection envisioned by the USERRA, are potentially subject to reemployment problems after release from active duty. This situation poses a continuing personnel management challenge for the reserve components.

(2) RECOGNITION OF PROBLEM.—Congress, while recognizing that foreign governments and companies located abroad, not being within the jurisdiction of the United States, cannot be required to comply with the provisions of the Uniformed Services Employment and Reemployment Rights Act, also recognizes that there is a need to provide assistance to Reservists in the situation described in subsection (a), both in the near term and the

long
term.

(3)

1997. the

Secretary of Defense shall submit to the Committee on Armed
Services of the Senate and the Committee on National

Security

of the House of Representatives a report that sets forth

rec-

ommended actions to help alleviate reemployment problems

for

Reservists who are employed outside the United States and

its

territories by United States companies that maintain offices

or

operations in foreign countries or by foreign employers. The

report

shall include recommendations on the assistance and support

that

may be required by other organizations of the Government,

includ-

ing the Defense Attache Offices, the Department of Labor, and

the Department of State. The report shall be prepared in

consulta-

tion with the Secretary of State and the Secretary of Labor.

**SEC. 547. PAYMENT OF PREMIUMS UNDER
MOBILIZATION INSURANCE PROGRAM. INCOME**

Section 12527(a) of title 10, United States Code,
is amended—

(1) in paragraph (1), by inserting "of the Selected
Reserve"

after "a member"; and